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**TOWN COUNCIL MEETING MINUTES  
TUESDAY, MARCH 2, 2010  
Town Hall Council Chambers  
5:00 P.M.**

**I. CALL MEETING TO ORDER** – Mayor Aragon, Council Member Cotton, Council Member Holt, Council Member Jackson, Council Member Pierce, Council Member Weiler (resigned), Council Member Volger

**II. APPROVAL of MEETING MINUTES FROM February 2<sup>nd</sup> and 18<sup>th</sup>, 2010** – Minutes were approved as read

**Council Member Weiler resigned from the board, stating he has moved to 250 San Juan Street and thereby, per the Charter, is not able to serve on the Council any longer. February 1<sup>st</sup> was his last meeting and says it has been a pleasure and an honor serving with a board that shows a genuine love for the community. He addressed each council member and highlighted their commitment and strength that each member provides to the Council. He offered his assistance to the Council in whatever capacity is needed and once again thanked the board for their service to the community.**

**III. LIQUOR LICENSES**

- 1. Liquor License Renewal – Nighbeck LLC dba Pagosa Lodge, 3505 W. Hwy 160**
- 2. Liquor License Renewal – Pizzeria Crocco LLC dba Diorios South Pizza, 100 Country Center Dr. L**
- 3. Liquor License Renewal – Los Bernal LLC dba Chato’s Mexican Restaurant, 230 Country Center Dr. D**
- 4. Liquor License Renewal – Los Garcia’s Inc dba Tequilas, 439 San Juan Street** – Council Member Pierce moved to approve the liquor license renewal for Nighbeck LLC, Pizzeria Crocco LLC, Los Bernal LLC, and Los Garcia’s Inc, Council Member Jackson seconded, unanimously approved.

**IV. DELEGATIONS**

- 1. Michael Branch Town and Sanitation District Audits** – Mr. Branch presented the audit findings including the stop of negative cash flow during 2009. Increase in cash reserves of \$280,522 and expenditure reductions of \$547,907 in the general fund. Every department in the town came in below budget. Revenues came in at \$251,836 below budget and actual expenditures were \$2,761,311 less than those of 2008. The sanitation and geothermal districts showed profits in 2009 and the cash reserves in both funds increased. Cash reserves up \$280,000, to \$1.2 million which represents approximately three months of reserves. The general fund brought in \$580,000 more than was spent. The revenue in the Sanitation District increased due to increased rates and plant investment fees from two large housing projects. The geothermal fund was increased due to some legal fees from the tap agreement issues.
- 2. Cheryl Bowdridge of Archuleta County School District regarding school finances** – The State of Colorado handed down cutbacks to all schools in Colorado including a \$2.1 million dollar cut for Archuleta County School District over the next two years. Mrs. Cheryl Bowdridge asked why people move to Pagosa Springs and said she believes that education is a large part of that choice. The district is seeking help from the Town to support the school district and is

inviting the board to the district meeting on Thursday March 4<sup>th</sup> at the Junior High School Library.

## V. NEW BUSINESS

1. **Proclamation for Census Year – Valarie Quick** –Ms. Valarie Quick with the Census Bureau has requested that the Pagosa Springs Town Council consider showing its formal support for the 2010 Census by passing a proclamation designating 2010 as Census Awareness Year. The Census evaluates communities and helps to divide funding and representation to those communities. It shows needs and disabilities in the community as well. The last census in 2000 counted 1,591 residents in the Town of Pagosa Spring. Council Member Jackson moved to authorize the Mayor to sign the proclamation which proclaims the Town of Pagosa Springs will put forth its best efforts to promote census awareness and action, and hereby declares 2010 to be Census Awareness Year, Council Member Volger seconded, unanimously approved.
2. **Ordinance No. 747 (first reading) LUDC change of language for Town business owner representation on planning commission** – At the December 1, 2009 Town Council meeting the council agreed that staff should look at re-wording the LUDC section 2.5.2.B.1 in order to allow more applicants onto the planning commission. Currently the wording restricts the board to only Town residents; there have been several inquiries by business owners who would like to volunteer on the board. By changing the wording to allow business owners who own the land as well, and who are Archuleta County residents, this opens the availability pool. Ordinance 747 changes the language in section 2.5.2.B.1 to read “The planning commission shall consist of five (5) regular members and two (2) alternate members, who shall be appointed by the Town Council by resolution. All members shall be either (a) a Town Resident; or (b) an owner of a business located within the Town which business or owner owns real property within the Town upon which the business is operated, and which owner is a resident of Archuleta County. An owner of a business includes a sole proprietor and the majority owner of a business entity such as a corporation, a limited liability company or a partnership. Non-Town residents shall be limited to two members at any one time.” Mr. Bill Hudson believes that changing the language would give business owners who live in Archuleta County special treatment. Council Member Pierce would like to open it to all County residents. Council Member Holt would like the business owners who have a vested interest in the Town to have a say on the planning board. Council Member Volger moved to approve first reading of Ordinance No. 747, an Ordinance of the Town of Pagosa Springs amending section 2.5.2.B.1 of the Land Use and Development Code, Council Member Holt seconded, motion carried with two nays (Council Members Cotton and Pierce).
3. **Resolution No 2010-03 Appointing Doris Green to the Town Tourism Committee** - Mrs. Doris Green has been recommended to represent the Chamber of Commerce on the Town Tourism Committee for a two year term. This resolution confirms the recommendation of the TTC for this appointment to a currently vacant Chamber represented seat. Council Member Pierce moved to approve Resolution No. 2010-03 Appointing Doris Green to the Town Tourism Committee, Council Member Holt seconded, unanimously approved.
4. **2007-2009 Lodgers Tax Analysis** – The Town Tourism Committee conducted a thorough review of lodger’s tax collections in 2007, 2008, and 2009 to understand collections by property type and identify trends. The TTC has identified a six-month trend between fulfillment requests and lodgers tax. This trend will be useful in determining needed adjustments to increase fulfillments in order to offset possible declines in lodger’s tax. Over the last three years, vacation rental properties have increased over 200%, but the share of the market is in hotels. Council Member Holt asked about getting all the properties, including County properties, to help contribute to the work by the TTC, CTC and the Chamber. Council Member Pierce explained a meeting she attended on March 1<sup>st</sup> included the TTC and Chamber board as well as CTC representation, the meeting ended with an emphasis on the boards working together for a common goal.

## VI. OLD BUSINESS

1. **Ordinance No. 750, (second reading) Re-Adoption of Ordinance No. 734, Competitive Bidding Policies and Procedures** – To resolve the conflict between Ordinance No. 717 and Ordinance No. 734, Ordinance No. 750 amends the Town’s competitive bidding policies and procedures as Chapter 2, Article 5 of the Municipal Code. The narrative text of Ordinance No.

750 remains unchanged from that of Ordinance No. 734. Council Member Holt moved to approve second reading of Ordinance No. 750, an ordinance of the Town of Pagosa Springs amending Ordinance No. 734 regarding competitive bidding policies, Council Member Volger seconded, unanimously approved.

## **VII. DEPARTMENT HEAD REPORTS**

**1. Parks and Recreation Department Report** – The last Parks and Recreation Committee meeting topic was on a grant request for toddler lot equipment at the Yamaguchi Park site. This year's adult basketball program will include 19 teams. The parks department is continuing to help the streets crew with snow removal and is working with Riverbend Engineering with hopes that at least one of the proposed San Juan River features adjacent to Town Park can be constructed this spring. The skate park site at Yamaguchi Park will require digital survey and geotechnical tests in order to move forward with design. This will be completed once the snow clears from the site, estimated near the end of April.

**2. Planning Department Report** – The planning commission continues to have an open seat as well as two alternate positions available on the board. The commission hopes to generate some new enthusiasm with the approval of the LUDC section language change proposed. The Historic Preservation Board reviewed some new ideas for interpretative displays for Pagosa History. Colorado Historic Preservation Month is in May and the board is actively working on coordinating activities for the first two weeks of May. These might include historic photo displays at some art galleries, films at the Liberty Theatre, a youth scavenger hunt, guest speakers' series, cowboy poets around the Yamaguchi terrazzo fire pit, book signings and Chimney Rock presentations.

**3. Town Tourism Committee Report** – The lodgers tax collections for December 2009 reflects an 11.03% increase compared to December of 2008. Overall, 2009 YTD lodgers' tax collected represents a 9.2% increase over 2008 and a 4.9% increase over 2007. January 2010 collections indicate an increase of 11.87% over January 2009. Fulfillment requests for January show Texas, Colorado, Illinois, Oklahoma and Kansas as the top five states requesting. The TTC selected Jesse James Creative to complete the website redesign and upgrade and should be live by mid-April.

**4. Town Manager Report** – The AEDA board approved the development of a new 501c3 Pagosa Springs Community Development Corporation (CDC). The Town budgeted \$50,000 for economic development and Archuleta County has committed \$30,000. Sales tax revenues declined -6.5% compared to December 2008. Sales tax for the 2009 calendar year was down -8.39% compared to 2008. The town manager has been in dialog with the Pagosa Springs Arts Council representative regarding the use of the Town Hall to display local artisans. The old arts council building in Town Park is intended to be taken down in the spring. Council Member Volger suggests advertising for interest in the tearing down or taking of the old building.

**VIII. Next Town Council Meeting March 9, 2010 at 11:00 am** – Mr. Matt Roane asked about the availability of copies of Ordinance No. 751 during the February 18<sup>th</sup> meeting as required by the charter. Council Member Holt moved to have Mr. Mitchem request clarification from the Town Attorney regarding this request, Council Member Cotton seconded, unanimously approved.

**IX. ADJOURNMENT** – Upon motion duly made, the meeting adjourned at 6:22pm

**Ross Aragón  
Mayor**